



DOCKET NO. END-780NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.

10/659,418

Art Unit: 3762

Filed

: September 10, 2003

Baxter III, Chester O., et al.

Examiner: Not assigned

Title

FINGERTIP ELECTROSURGICAL MEDICAL DEVICE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August /9 2004
(Date of Deposit)

Linda F. Hansen

ame of applicant, person mailing, assignee, or Registered Representative)

(Signature)

August /9 2004

(Date of Signature

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUBMISSION OF COMBINED DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Pursuant to Rule 53(f) and Rule 54, please find enclosed a Combined Declaration and Power of Attorney for the application of Chester O. Baxter III, et al.. entitled FINGERTIP ELECTROSURGICAL MEDICAL DEVICE attorney Docket No.END-780NP, to complete, pursuant to Rule 51, this application filed on September 10, 2003 by Express Mail pursuant to Rule 10. As required, a copy of the Notice to File Missing Parts of Application is also attached.

Please charge Johnson & Johnson Deposit Account No. 10-0750/END-780NP/VEK in the amounts of \$130.00 for submission of the Declaration pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/END-780NP/VEK. This sheet is submitted in triplicate.

Respectfully submitted,

Verne E. Kreger, Jr. Reg. No. 35,231

Attorney for Applicant(s)

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (513) 337-3295

lease type a plus sign (+) inside this box [+] PTO/SB/01 (10-00) Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. **DECLARATION** Attorney Docket Number **END-780 NP** AND Chester O. Baxter, III et **POWER OF ATTORNEY** First Named Inventor FOR UTILITY OR DESIGN COMPLETE IF KNOWN PATENT APPLICATION (37 CFR 1.63) 10/659,418 **Application Number** Declaration Submitted with

Declaration Submitted after September 10, 2003 Filing Date Initial Filing OR Initial Filing (Surcharge (37 CFR 1.16(e)) required) Group Art Unit Not assigned **Examiner Name** Not assigned As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: FINGER TIP ELECTROSURGICAL MEDICAL DEVICE (Title of the Invention) the specification of which is attached hereto OR [X] was filed on (MM/DD/YYYY) 09/10/2003 as United States Application Number or PCT International Application

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

10/659,418 and was amended on (MM/DD/YYYY)

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Attach	
Number(s)				YES	NO
Additional foreign appli	cation numbers are liste	d on a supplemental priori	ty data sheet PTO/S	B/02B attached	d hereto:

DECLARATION - Utility or Design Patent Application					
I hereby claim the benefit under 35 U.S.	C. 119(e) of any United States provisional Filing Date (MM/DD/YYYY)	application(s) listed below.			
Application Number(s) 60/412,072 60/425,401	Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.				
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:					
Application Serial No.	Filing Date	Status			
		Pending			
I hereby appoint:					
Practitioners at Customer Number AND	Place Customer Number Bar Code Label Here				
Practitioner(s) named below: Name	Registration Number				
as my/our attorney(s) or agent(s) to prose States Patent and Trademark Office conr	ecute the application identified above, and nected therewith.	to transact all business in the United			
Address all telephone calls to Verne E. Kreger, J	Ir. at telephone number (513) 337-3295.				
Customer Number Direct all correspondence to:					
Name:					
Address:					
Address:					
City:	State:	ZIP			
Country USA	Telephone: (513) 337-3295	Fax:			

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF SOLE OR FIRST INVENTOR:	ПАр	etition has been	filed for this unsign	ned inventor
Given Name Chester O. (first and middle [if any])		Family Name or Surname	Baxter, III	
Inventor's Signature		- · ·	Date 10	50)80
Residence: City Loveland	State Ohio	Cour	ntry USA	Citizenship USA
Mailing Address 6375 Pawnee Ridge				·
City Loveland	State Ohio	ZIP	45140	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF SECOND INVENTOR:	□Арғ	etition has been f	iled for this unsigne	ed inventor
Given Name Craig N. (first and middle [if any])		Family Name or Surname	Faller	
Inventor's Canado . Fee	<u>Ql</u>		Date 10	18/03
Residence: City Milford	State Ohio	Coun	itry USA	Citizenship USA
Mailing Address 5960 E. Day Circle				
City Milford	State Ohio		45159-2360	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF THIRD INVENTOR:	□ Аре	tition has been fi	iled for this unsigne	ed inventor
Given Name Kevin L. (first and middle [if any])		Family Name or Surname	Houser	
Inventor's Kum X. Vo	ris-		Date 10/8	3/03
Residence: City Springboro	State Ohio	Coun	try USA	Citizenship USA
Mailing Address 570 Foliage Lane				
City Springboro	State Ohio	ZIP	45066	Country USA

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I hereby declare that all statements no information and belief are believed to that willful false statements and the li U.S.C. 1001 and that such willful false issued thereon.	o be true; and further ike so made are pun	r that these sta hishable by fine	atements were e or imprisonm	made with the knowledge ent, or both, under 18
NAME OF FOURTH INVENTOR:	☐ A pe	etition has been fi	iled for this unsign	ed inventor
Given Name Jorge (first and middle [if any])		Family Name or Surname	Gutierrez	
Inventor's gara Dutier	rez		Date 10	· 8· 03
Residence: City Cincinnati,	State Ohio	Coun	try USA	Citizenship USA
Mailing Address 9916 McCauley Woods [Drive			
City Cincinnati	State Ohio	ZIP	45241	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF FIFTH INVENTOR:	A pe	tition has been fil	led for this unsigne	ed inventor
Given Name William T. (first and middle [if any])		Family Name or Surname	Donofrio	
Inventor's Signature Willia To	mpr.		Date 10	-10-03
Residence: City Cincinnati,	State Ohio	Count	try USA	Citizenship USA
Malling Address 8755 Tanagerwoods Driv	/e		-	
City Cincinnati	State Ohio	ZIP	45249	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF SIXTH INVENTOR:	☐ A pe	tition has been fil	ed for this unsigne	ed inventor
Given Name Jerome R. (first and middle [if any])		Family Name or Surname	Morgan	
Inventor's Signature	· · · · · · · · · · · · · · · · · · ·		Date /o / 8	5/03
Residence: City Cincinnati,	State Ohio	Count	ry USA	Citizenship USA
Mailing Address 3275 S. Whitetree Circle				

information and that willful false	d belief are believed to e statements and the li nd that such willful fals	be true; and furthe ike so made are pur	r that these st nishable by fin	atements were e or imprisonm	hat all statements made on made with the knowledge lent, or both, under 18 application or any patent
NAME OF SEVEN	ITH INVENTOR:	□Ар	etition has been	filed for this unsigr	ned inventor
			Family Name or Surname	Vaitekunas	
Inventor's Signature				Date	
Residence: City	St. Paul	State MN	Cour	ntry USA	Citizenship USA
Mailing Address	1270 Northland Drive				
City	St. Paul	State MN	ZIP	55120	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF EIGHTH	INVENTOR:	□Ар	etition has been f	iled for this unsign	ed inventor
Given Name Gregory W. Family Name Johnson (first and middle [if any]) or Surname					
7				· , · · · - · · · · · · · · · · · · 	
Inventor's Signature	4			Date 10	120/03
Inventor's	Miliford,	State Ohio		Date 10	/20/03 Citizenship USA
Inventor's Signature	#	State Ohio		T Date 1 /	"
Inventor's Signature Residence: City	Milford,	State Ohio		T Date 1 /	"
Inventor's Signature Residence: City Mailing Address City I hereby declare information and that willful false	Milford, 117 Mound Avenue Milford e that all statements me belief are believed to statements and the lidd that such willful false	State Ohio nade herein of my or be true; and further ke so made are pun	ZIP wn knowledger that these statishable by fine	try USA 45150 e are true and the stements were er or imprisonmer	Citizenship USA Country USA nat all statements made on made with the knowledge
Inventor's Signature Residence: City Mailing Address City I hereby declare information and that willful false U.S.C. 1001 an	Milford, 117 Mound Avenue Milford e that all statements me belief are believed to statements and the lid that such willful false.	State Ohio nade herein of my or be true; and further ke so made are pun e statements may je	ZIP wn knowledger that these statishable by fine expandize the second control of the sec	try USA 45150 e are true and the stements were er or imprisonmer	Citizenship USA Country USA nat all statements made on made with the knowledge ent, or both, under 18 pplication or any patent
Inventor's Signature Residence: City Mailing Address City I hereby declare information and that willful false U.S.C. 1001 an issued thereon.	Milford, 117 Mound Avenue Milford e that all statements me belief are believed to statements and the lid that such willful false INVENTOR: Vance	State Ohio nade herein of my or be true; and further ke so made are pun e statements may je	ZIP wn knowledger that these statishable by fine expandize the second control of the sec	45150 e are true and thatements were or imprisonme validity of the a	Citizenship USA Country USA nat all statements made on made with the knowledge ent, or both, under 18 pplication or any patent
Inventor's Signature Residence: City Mailing Address City I hereby declare information and that willful false U.S.C. 1001 an issued thereon. NAME OF NINTH I	Milford, 117 Mound Avenue Milford e that all statements me belief are believed to statements and the lid that such willful false INVENTOR: Vance	State Ohio nade herein of my or be true; and further ke so made are pun e statements may je	ZIP win knowledger that these statishable by fine expandize the second control of the se	45150 e are true and the atements were er or imprisonme validity of the analysis are true and the atements were ended to this unsignification.	Citizenship USA Country USA nat all statements made on made with the knowledge ent, or both, under 18 pplication or any patent
Inventor's Signature Residence: City Mailing Address City I hereby declare information and that willful false U.S.C. 1001 an issued thereon. NAME OF NINTH I Given Name (first and middle [Inventor's	Milford, 117 Mound Avenue Milford e that all statements me belief are believed to statements and the lid that such willful false INVENTOR: Vance	State Ohio nade herein of my or be true; and further ke so made are pun e statements may je	ZIP wn knowledger that these statishable by fine expandize the vector and the statishable by fine expandize the vector and the statistic has been fine from the statistic has been fine from the statistic has been fine expanding the statistic has been fine from the	45150 e are true and the atements were e or imprisonme validity of the a led for this unsign	Citizenship USA Country USA nat all statements made on made with the knowledge ent, or both, under 18 pplication or any patent
Inventor's Signature Residence: City Mailing Address City I hereby declare information and that willful false U.S.C. 1001 an issued thereon. NAME OF NINTH I Given Name (first and middle [Inventor's Signature	Milford, 117 Mound Avenue Milford e that all statements me belief are believed to statements and the lid that such willful false (INVENTOR: Vance if any)	State Ohio nade herein of my or be true; and further ke so made are pun e statements may je	ZIP wn knowledger that these statishable by fine expandize the vector and the statishable by fine expandize the vector and the statistic has been fine from the statistic has been fine from the statistic has been fine expanding the statistic has been fine from the	45150 e are true and the atements were e or imprisonme validity of the a led for this unsign VanDrake, III	Citizenship USA Country USA That all statements made on made with the knowledge ent, or both, under 18 pplication or any patent ed inventor
Inventor's Signature Residence: City Mailing Address City I hereby declare information and that willful false U.S.C. 1001 an issued thereon. NAME OF NINTH I Given Name (first and middle [Inventor's Signature Residence: City	Milford, 117 Mound Avenue Milford e that all statements m belief are believed to statements and the li d that such willful false (INVENTOR: Vance if any])	State Ohio nade herein of my or be true; and further ke so made are pun e statements may je	ZIP wn knowledger that these statishable by fine expandize the vector and the statishable by fine expandize the vector and the statistic has been fine from the statistic has been fine from the statistic has been fine expanding the statistic has been fine from the	45150 e are true and the atements were e or imprisonme validity of the a led for this unsign VanDrake, III	Citizenship USA Country USA That all statements made on made with the knowledge ent, or both, under 18 pplication or any patent ed inventor

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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	LARATION		Attorney Doo	cket Number	END-780 NP
	AND OF ATTORNEY		First Named		Chester O. Baxter, III et al.
	ITY OR DESIGN			COMPLET	TE IF KNOWN
PATENT APPLICATION (37 CFR 1.63)		Application N	Number	10/659,418	
Declaration Submitted with Initial Filing	OR Initial Filing (Su	ırcharge	Filing Date		September 10, 2003
	(37 CFR 1.16(e)) required)	Group Art U	nit	Not assigned
			Examiner Na	ame	Not assigned
As a below named invento	r, I hereby declare that	t:			
My residence, mailing addre I believe I am the original, fir plural names are listed belov entitled:	st and sole inventor (if o	only one nam	e is listed belo	ow) or an origin	
	FINGER TIP ELE	CTROSURG		AL DEVICE	
the specification of which					
[] is attached hereto					
OR					
[X] was filed on (MM/DD/Y) Number 10/659,418 and was a	YYY) <u>09/10/2003</u> as Ur amended on (MM/DD/Y		Application Nu	ımber or PCT lı	nternational Application
I hereby state that I have rev amended by any amendmen			of the above i	dentified specif	ication, including the claims, as
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.					
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.					
Prior Foreign Application Number(s)	Country		iling Date D/YYYY)	Priority Not Claime	Certified Copy d Attached? YES NO
Additional foreign applic	L cation numbers are liste	d on a suppl	emental priori	L ty data sheet P	TO/SB/02B attached hereto:

DECLARATION - Utility or Design Patent Application					
I hereby claim the benefit under 35 U.S.	C. 119(e) of any United States provisional	application(s) listed below.			
Application Number(s) 60/412,072 60/425,401	Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.				
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:					
Application Serial No.	Filing Date	Status			
		Pending			
I hereby appoint:					
Place Customer Number Bar Code Label Here					
Practitioner(s) named below: Name	Registration Number				
as my/our attorney(s) or agent(s) to prose States Patent and Trademark Office conr	ecute the application identified above, and nected therewith.	to transact all business in the United			
Address all telephone calls to Verne E. Kreger, J	ir. at telephone number (513) 337-3295.				
	mer Number Code Label 000027777 OR	☐ Correspondence address below			
Name:					
Address:					
Address:					
City:	State:	ZIP			
Country USA	Telephone: (513) 337-3295	Fax:			

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF SOLE OR FIRST INVENTOR:		etition has been fi	iled for this unsign	ed inventor
Given Name Chester O. (first and middle [if any])	Baxter, III			
Inventor's Signature			Date 10	50)80
Residence: City Loveland	State Ohio	Coun	try USA	Citizenship USA
Mailing Address 6375 Pawnee Ridge				·
City Loveland	State Ohio	ZiP	45140	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF SECOND INVENTOR:	□Арє	etition has been fil	led for this unsigne	ed inventor
Given Name Craig N. (first and middle [if any])		Family Name or Surname	Faller	
Inventor's Signature Comp N. 7	El-		Date 10	18/03
Residence: City Milford	State Ohio	Count	try USA	Citizenship USA
Mailing Address 5960 E. Day Circle			· · · · · · · · · · · · · · · · · · ·	,
City Milford	State Ohio		5159-2360	Country USA
I hereby declare that all statements mainformation and belief are believed to be that willful false statements and the like U.S.C. 1001 and that such willful false issued thereon.	pe true; and further e so made are puni	that these stail	itements were r or imprisonme	made with the knowledge ent, or both, under 18
NAME OF THIRD INVENTOR:	☐ A pe	tition has been fil	led for this unsigne	ed inventor
Given Name Kevin L. (first and middle [if any])		Family Name or Surname	Houser	
Inventor's Kein X	four	`	Date 10/8	3/03
Residence: City Springboro	State Ohio	Count	ry USA	Citizenship USA
Mailing Address 570 Foliage Lane				
City Springboro	State Ohio	ZIP	45066	Country USA

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I hereby declare that all statements me information and belief are believed to that willful false statements and the like U.S.C. 1001 and that such willful false issued thereon.	be true; and furthe ke so made are pur	r that these sta nishable by find	atements were e or imprisonm	made with the knowledge ent, or both, under 18
NAME OF FOURTH INVENTOR:	□Ар	etition has been f	iled for this unsign	ed inventor
Given Name Jorge (first and middle [if any])		Family Name or Surname	Gutierrez	
Inventor's gara Dutier	~e&		Date 10	· 8· 03
Residence: City Cincinnati,	State Ohio	Coun	try USA	Citizenship USA
Mailing Address 9916 McCauley Woods D	Prive .			· _T ····
City Cincinnati	State Ohio	ZIP	45241	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF FIFTH INVENTOR:	А ре	etition has been fi	led for this unsign	ed inventor
Given Name William T. (first and middle [if any])		Family Name or Surname	Donofrio	
Inventor's William Too	mpr.		Date 10	-10-03
Residence: City Cincinnati,	State Ohio	Count	try USA	Citizenship USA
Mailing Address 8755 Tanagerwoods Drive	9			
City Cincinnati	State Ohio	ZIP	45249	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF SIXTH INVENTOR:	□ А ре	tition has been fil	ed for this unsigne	ed inventor
Given Name Jerome R. (first and middle [if any])		Family Name or Surname	Morgan	
Inventor's Signature			Date /o / 8	s los
Residence: City Cincinnati,	State Ohio	Count	ry USA	Citizenship USA
Mailing Address 3275 S. Whitetree Circle				
City Cincinnati	State Ohio	ZIP	45236	Country USA

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information and that willful false	re that all statements made d belief are believed to be tr e statements and the like so nd that such willful false stat n.	rue; and further o made are pun	er that the nishable	nese sta by fine	atements were e or imprisonme	made with the knowledge ent, or both, under 18
NAME OF SEVEN	NTH INVENTOR:	Ap	etition ha	s been fi	iled for this unsign	ned inventor
Given Name (first and middle	Jeffrey J. [if any])		Family or Surn		Vaitekunas	
Inventor's Signature	May Stall				Date /0 -	20-03
Residence: City	St. Paul	State MN		Coun	try USA	Citizenship USA
Mailing Address	1270 Northland Drive					
City	St. Paul	State MN		ZIP	55120	Country USA
information and that willful false	I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent insued thereon					made with the knowledge ent, or both, under 18
NAME OF EIGHT		A pr	etition has	s been fil	led for this unsigne	ed inventor
Given Name (first and middle	Gregory W.		Family I	Name	Johnson	
Inventor's Signature					Date	
Residence: City	Milford,	State Ohio		Count	try USA	Citizenship USA
Mailing Address	117 Mound Avenue		<u> </u>			
City	Milford	State Ohio		ZIP	45150	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF NINTH I	INVENTOR:	☐ A pe	tition has	been file	ed for this unsigne	ed inventor
Given Name (first and middle [Vance [if any])		Family N		VanDrake, III	**************************************
Inventor's Signature		-T			Date	
Residence: City	Cincinnati,	State Ohio		Count	ry USA	Citizenship USA
Mailing Address	3414 Whitfield	T				c.
City	Cincinnati	State Ohio		7IP	45220	Country USA

AND 2 1 2004 BY

Please type a plus sign (+) inside this box +

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	CLARATION AND	•	Attorney Do	cket Number	END-780 NP
POWER	POWER OF ATTORNEY		First Named	Inventor	Chester O. Baxter, III et al.
FOR UTI	LITY OR DESIGN				TE IF KNOWN
	CFR 1.63)		Application I	Number	10/659,418
Declaration Submitted with Initial Filing	OR Initial Filing (Su	ırcharge	Filing Date		September 10, 2003
	(37 CFR 1.16(e)) required)	Group Art U	nit	Not assigned
			Examiner Na	ame	Not assigned
As a below named invento	or, I hereby declare tha	t:			¥
My residence, mailing addre I believe I am the original, fi plural names are listed belo entitled:	rst and sole inventor (if o	only one nam	e is listed belo	ow) or an origin	al, first and joint inventor (if sought on the invention
	FINGER TIP ELE	CTROSURG		AL DEVICE	
the specification of which		,			·
[] is attached hereto					
OR					
[X] was filed on (MM/DD/Y Number 10/659,418 and was	YYY) 09/10/2003 as Ur amended on (MM/DD/Y		Application Nu	imber or PCT Ir	nternational Application
I hereby state that I have re amended by any amendmen			of the above i	dentified specifi	cation, including the claims, as
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.					
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.					
Prior Foreign Application Number(s)	Country		Filing Date D/YYYY)	Priority Not Claime	Certified Copy d Attached? YES NO
Additional foreign appli	cation numbers are liste	d on a suppl	emental priori	tv data sheet P	TO/SB/02B attached hereto:

DECLARATION - Utility or Design Patent Application					
I hereb	by claim the benefit under 35 U.S.C	. 119(e) of any United States provisional a	pplication(s) listed below.		
	Application Number(s)	Filing Date (MM/DD/YYYY)	Additional provisional application		
	60/412,072 60/425,401	numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.			
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:					
	Application Serial No.	Filing Date	Status		
			Pending		
I hereb	y appoint:				
	Practitioners at Customer Number	000027777 →	Place Customer Number Bar Code Label Here		
4	AND				
	Practitioner(s) named below: <u>Name</u>	Registration Number			
	our attorney(s) or agent(s) to prose Patent and Trademark Office conr	ecute the application identified above, and the dected therewith.	to transact all business in the United		
Address	s all telephone calls to Verne E. Kreger, J	r. at telephone number (513) 337-3295.			
Direct a	Customer Number Direct all correspondence to: or Bar Code Label 000027777 OR Correspondence address below				
Name:					
Address:					
Addres	s:				
City:		State:	ZIP		
Country USA Telephone: (513) 337-3295 Fax:					

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor							
Given Name Chester O. (first and middle [if any])		Family Name or Surname	Baxter, III	1/2			
Inventor's Signature			Date 10/08/03				
Residence: City Loveland	State Ohio	Cour	ntry USA	Citizenship USA			
Mailing Address 6375 Pawnee Ridge							
City Loveland	State Ohio	ZIP	45140	Country USA			
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
NAME OF SECOND INVENTOR: A petition has been filed for this unsigned inventor							
Given Name Craig N. Family Name Faller (first and middle [if any]) or Surname							
Inventor's Signature Crains N. 7e	el_		Date 10	18/03			
Residence: City Milford	State Ohio	Cour	ntry USA	Citizenship USA			
Mailing Address 5960 E. Day Circle							
City Milford	State Ohio	ZIP	45159-2360	Country USA			
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
NAME OF THIRD INVENTOR:	□Аре	etition has been	filed for this unsign	ed inventor			
Given Name Kevin L. (first and middle [if any])		Family Name or Surname	Houser				
Inventor's Signature Tum X.	sus-		Date 10/8	3/03			
Residence: City Springboro	State Ohio	Cour	ntry USA	Citizenship USA			
Mailing Address 570 Foliage Lane				<u></u>			
City Springboro	State Ohio	ZIP	45066	Country USA			

I hereby declare that all information and belief a that willful false stateme U.S.C. 1001 and that si issued thereon.	re believed to be truents and the like so	ie; and further made are pun	that thes ishable by	se stat y fine	ements were not imprisonme	at all statements made on nade with the knowledge nt, or both, under 18 plication or any patent		
NAME OF FOURTH INVENTOR: A petition has been filed for this unsigned inventor								
Given Name Jorge (first and middle [if any])					Gutierrez			
Inventor's Signature Our Dutiener				Date 10.8.03				
Residence: City Cincinna	ati,	State Ohio		Count	ry USA	Citizenship USA		
Mailing Address 9916 M	cCauley Woods Drive							
City Cincinna	ati	State Ohio	;	ZIP	45241	Country USA		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
NAME OF FIFTH INVENTO	R:	A petition has been filed for this unsigned inventor						
Given Name Will (first and middle [if any])	liam T.	Family Name Donofrio or Surname						
Inventor's Signature William Tompro-					Date 10-10-03			
Residence: City Cincinn	ati,	State Ohio		Count	ry USA	Citizenship USA		
Mailing Address 8755 Tanagerwoods Drive								
City Cincinn	ati	State Ohio		ZIP	45249	Country USA		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
NAME OF SIXTH INVENTOR: A petition has been filed for this unsigned inventor								
Given Name Jer (first and middle [if any])	Jerome R. Family Name or Surname				Morgan			
Inventor's Signature)				Date /o / s	3/03		
Residence: City Cincinn	ati,	State Ohio		Count	ry USA	Citizenship USA		
	. Whitetree Circle							
City Cincinn	nati	State Ohio		ZIP	45236	Country USA		

information and that willful false	belief are believed to be to statements and the like so d that such willful false sta	true; and further o made are puni	r that thes nishable b	se stat by fine	tements were not or imprisonme	ent, or both, under 18	
NAME OF SEVENT	TH INVENTOR:		etition has t	een file	ed for this unsigne	d inventor	
Given Name (first and middle [Jeffrey J. if any])		Family Na or Surna		Vaitekunas		
Inventor's Signature					Date		
Residence: City	St. Paul	State MN		Count	ry USA	Citizenship USA	
Mailing Address 1270 Northland Drive							
City	St. Paul	State MN		ZIP	55120	Country USA	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
Given Name	NAME OF EIGHTH INVENTOR: A petition has been filed for this unsigned inventor Given Name Gregory W. (first and middle [if any]) Family Name Johnson or Surname						
Inventor's Signature					Date		
Residence: City	Milford,	State Ohio		Count	ry USA	Citizenship USA	
Mailing Address	117 Mound Avenue						
City	Milford	State Ohio		ZIP	45150	Country USA	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
NAME OF NINTH I	AME OF NINTH INVENTOR: A petition has been filed for this unsigned inventor						
Given Name (first and middle [Vance [if any])	Family Name or Surname			VanDrake, III		
Inventor's Signature	1-0-0	<u> </u>	Т		Date /0/2	14/03	
Residence: City	Cincinnati,	State Ohio		Count	try USA	Citizenship USA	
Mailing Address	3414 Whitfield						
City	Cincinnati	State Ohio		ZIP	45220	Country USA	



INTIED STATES PATENT AND TRADEMARK OFFIC

DEPARTMENT OF

APPLICATION NUMBER FILING OR 371 (c) DATE 10/659,418 PORST NAMED APPLICANT 09/10/2003 Chester O. Baxter III

HEIP & JOHNSON JOHNSON & JOHNSON DNE JOHNSON & JOHNSON PLAZA NEW BRUNSWICK, NJ 08933-7003

CONFIRMÁTION NO. 4820 FORMALITIES LETTER

Date Mailed: 08/09/2004

O FILE MISSING PARTS OF NONPROVISIONAL APPLICATIO

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

thins Required To Avoid Abandonment;

Ar application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all temperatures and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The path or declaration is unsigned.

To avoid abandonment, a late filing fee or cath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

BURMARY OF FEES DUE:

Fortil additional fee(s) required for this application is \$130 for a Large Entity

tite cath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.